Court No. - 1

Case :- SECOND APPEAL No. - 1799 of 1976

Appellant :- R.P. Singh
Respondent :- Kashim Khan And Others
Counsel for Appellant :- P.C. Gautam,I.P. Singh,Mahesh Gautam,Ranjit Saxena,Vijai Gautam
Counsel for Respondent :- H.S. Nigam,Haider Hussain

Hon'ble Ved Prakash Vaish,J.

List revised. Case called out.

Sri Amit Kumar Mishra, Advocate holding brief of Sri Ranjit Saxena, learned counsel for the appellant is present.

None appeared on behalf of the respondents.

Learned counsel for the appellant submits that the appeal was dismissed in default on 30.11.2005 and an application for restoration of appeal was filed on 1.10.2013. He also submits that a counter affidavit/reply to the application for restoration of appeal was filed on 17.11.2015.

However, on perusal of the file it is revealed that on 18.5.2017, notice on the application for restoration of appeal was issued to the respondents.

Office is directed to check and submit a report whether the notice on the application for restoration of appeal was served on the respondents and reply to the application for restoration was filed on 17.11.2015.

Request for adjournment is made by the learned counsel for the applicant on the ground that Sri Ranjit Saxena, arguing counsel for the appellant is not available today.

As requested, list this matter after three weeks.

(Ved Prakash Vaish, J.)

Order Date :- 12.1.2018
Vivek Kr.